



General Assembly

January Session, 2001

Amendment

LCO No. 8258

Offered by:

REP. STRATTON, 17th Dist.

To: Subst. House Bill No. 7000

File No. 386

Cal. No. 292

"AN ACT CONCERNING WATER DIVERSIONS."

1 Strike out everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. (NEW) (a) Any person or municipality maintaining a
4 diversion that was registered in accordance with the provisions of
5 section 22a-368 of the general statutes and which continues to be in use
6 as of July 1, 2001, shall report to the Commissioner of Environmental
7 Protection on or before July 1, 2002, current operating data for such
8 diversion. Such data shall be provided on a form developed by the
9 Commissioner of Environmental Protection, in consultation with the
10 Commissioners of Public Health, Public Utility Control and
11 Agriculture. Such data shall include monthly data for the calendar
12 years 1997 to 2001, inclusive, (1) for the actual frequency and actual
13 rate of water withdrawals or discharges of such diversion if such
14 diversion is metered, or (2) that estimates the withdrawals or
15 discharges in the absence of a meter. A person or municipality
16 maintaining a diversion exclusively for agricultural purposes may

17 report estimated water use for the reporting period.

18 (b) Any person or municipality maintaining a diversion that was
19 eligible for registration in accordance with section 22a-368 of the
20 general statutes but failed to so register, which diversion continues to
21 be in use as of July 1, 2001, shall report to the commissioner, on or
22 before July 1, 2002, the operating data for such diversion. Such data
23 shall be provided on a form developed by the Commissioner of
24 Environmental Protection, in consultation with the Commissioners of
25 Public Health, Public Utility Control and Agriculture. Such data shall
26 include (1) the location, capacity, frequency and rate of withdrawals or
27 discharges of such diversion as of July 1, 1982, (2) a description of the
28 water use and water system on or before July 1, 1982, including
29 information to evidence its operation at that time, and (3) the monthly
30 data for the calendar years 1997 to 2001, inclusive, (A) for the actual
31 frequency and actual rate of water withdrawals or discharges of such
32 diversion if such diversion is metered, or (B) that estimates the
33 withdrawals or discharges in the absence of a meter. A person or
34 municipality maintaining a diversion exclusively for agricultural
35 purposes may report estimated water use for the reporting period in
36 subdivision (3) of this subsection.

37 (c) Any person or municipality maintaining a diversion that was not
38 eligible for registration in accordance with section 22a-368 of the
39 general statutes and is not currently authorized by permit issued by
40 the commissioner pursuant to said section, which diversion is in use as
41 of July 1, 2001, shall report to the Commissioner of Environmental
42 Protection on or before July 1, 2002, operating data for the diversion.
43 Such data shall be provided on a form developed by the Commissioner
44 of Environmental Protection, in consultation with the Commissioners
45 of Public Health, Public Utility Control and Agriculture. Such data
46 shall include (1) information as to when the diversion was initiated, (2)
47 a description of the water use and water system operation, and (3) the
48 monthly data for the calendar years 1997 to 2001, inclusive, (A) for the
49 location, capacity, actual frequency and actual rate of water
50 withdrawals or discharges of said diversion if such diversion is

51 metered, or (B) that estimates the withdrawals or discharges in the
52 absence of a meter. A person or municipality maintaining a diversion
53 used exclusively for agricultural purposes may report estimated water
54 use for the reporting period in subdivision (3) of this subsection.

55 (d) Information reported by a person or municipality for the
56 purposes of subsection (b) or (c) of this section shall not be used by the
57 Commissioner of Environmental Protection to order the payment of
58 civil penalties pursuant to section 22a-6b of the general statutes and
59 subsection (b) of section 22a-376 of the general statutes provided the
60 person or municipality has filed a permit application pursuant to
61 section 22a-368 of the general statutes on or before July 1, 2003. This
62 subsection shall not apply to any information the commissioner can
63 document independent of a submission pursuant to this section.
64 Failure to report the information required in this section may result in
65 civil penalties in accordance with section 22a-6b of the general statutes
66 and subsection (b) of section 22a-376 of the general statutes.

67 Sec. 2. This act shall take effect from its passage."